

**STATE OF MICHIGAN
IN THE COURT OF APPEALS**

HON. KWAME M. KILPATRICK,

Plaintiff-Appellant,

v.

COA No.

Lower Court No. 08-122051-CZ

HON. JENNIFER M. GRANHOLM,
in her official capacity as Governor of the State of Michigan,
and DETROIT CITY COUNCIL,

Defendant-Appellees.

**MOTION FOR IMMEDIATE CONSIDERATION OF
MOTION TO STAY PROCEEDINGS**

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NOW COMES the Plaintiff-Appellant, KWAME KILPATRICK, by and through his attorneys, Dan Webb and James C. Thomas, and respectfully requests this Honorable Court to grant immediate consideration of the attached motion to stay proceedings, and in support states as follows:

1. The instant appeal concerns the Governor's ability to remove Plaintiff-Appellant from his elected position as Mayor of the City of Detroit.
2. By a schedule set by the Honorable Governor Jennifer Granholm, the hearing to determine whether to remove Plaintiff-Appellant from his elected position is scheduled to commence on September 3, 2008.
3. As the instant appeal concerns the constitutionality of the process and standards which are contained in the Removal Statute, MCL §168.327, immediate consideration is required.

4. Unless this Honorable Court immediately considers and grants Plaintiff-Appellant's Motion to Stay Proceedings, the instant appeal will become moot by operation of the Governor entering a decision prior to the exhaustion of Plaintiff's appellate remedies.

RELIEF REQUESTED

WHEREFORE, Plaintiff-Appellant respectfully requests this Court give immediate Consideration to the attached Motion to Stay Proceedings.

Respectfully submitted,

JAMES C. THOMAS
Of Counsel, Plunkett Cooney
Attorney for Plaintiff-Appellant
Mayor Kwame Kilpatrick



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Dated: September 2, 2008